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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/051,470 | 01/18/2002 | Rajko Milovanovic | TI-32116 | 1391 |

7590 08/31/2004
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EXAMINER

BONSHOCK, DENNIS G

ART UNIT PAPER NUMBER

2173

DATE MAILED: 08/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,470

Applicant(s)

MILOVANOVIC, RAJKO

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Matthews, III et al., patent #6,469,721, hereinafter Matthews.
4. With regard to claim 1, which teaches a listing comprising an initial listing of items and an enhanced listing of programs of said items on the initial listing wherein the items on the enhanced listing include enhancements to assist the user in selecting a list of the programs, Matthews teaches, in column 15, lines 9-55 and in figure 22, a list comprising a textural description of each item along

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with a corresponding icon depicting further information regarding the item and, upon selection, providing preview information to the user. With regard to claim 1, further teaching a means for selecting programs on the listing, Matthews teaches, in column 6, lines 47-51, input means for selecting items.

5. With regard to claim 2, which teaches the enhanced listing being presented sequentially item by item to provide enhancement presentations for a brief period of item sufficient to allow the user to decide on a selection, Matthews teaches, in column 15, lines 9-55, in column 4, lines 17-39, and in figure 22, the added icon (enhanced listing) being presented for each item in the list and providing a short preview of the information to allow for user selection.

6. With regard to claim 3, which teaches the enhancements being audio sound sequences, Matthews teaches, in column 15, lines 41-46, the preview information being an audio file.

7. With regard to claim 4, which teaches the enhancements being pictures and/or video sequences, Matthews teaches, in column 15, lines 41-46, the preview information being a text, an image of the speaker, or a short movie.

8. With regard to claim 5, which teaches the audio sound sequences being from an MP3 plug-in or plug-ins for other video or image formats, Matthews teaches, in column 16, lines 1-5, the sequences of preview information being in one of any of a plurality of text, audio, image, or video formats.

9. With regard to claim 6, which teaches the pictures being from an MPEG4 or JPEG plug-in or plug-ins for other video or image formats. Matthews teaches, in column 16, lines 1-5, the sequences of preview information being in one of any

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of a plurality of text, audio, image, or video formats, and further specifically mentions JPEG type files.

10. With regard to claim 7, which teaches a computer system comprising: a processor, and an operating system memory containing programs and a presentation means, Matthews teaches, in column 6, lines 7-63, a computer system comprising a processor and a operating system memory containing programs displayable on a display. With regard to claim 7, further teaching an enhancement listing generator wherein listings of programs are sequentially provided with enhanced presentations on a presentation means to assist user to assist the user in selecting a list of the programs, Matthews teaches, in column 15, lines 9-55 and in figure 22, a list comprising a textural description of each item along with a corresponding icon depicting further information regarding the item and, upon selection, providing preview information to the user. With regard to claim 1, further teaching a means for selecting programs on the listing, Matthews teaches, in column 6, lines 47-51, input means for selecting items.

11. With regard to claim 8, which teaches the enhanced presentations being pictures, Matthews teaches, in column 15, lines 41-46, the preview information being a text, an image of the speaker, or a short movie.

12. With regard to claim 9, which teaches the enhanced presentations being saved, Matthews teaches, in column 16, lines 35-38, the previews being stored at a remote location.

13. With regard to claim 10, which teaches the enhanced presentations being user generated and stored in a recall menu, Matthews teaches, in column 15,

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lines 9-55 and in figure 22, the previews being displayed apart from the textural list and further being provided in a separate preview area.

14. With regard to claim 11, which teaches the system including an Internet connection and browser and the enhanced presentations being received from the remote source, Matthews teaches, in column 16, lines 35-51, the preview information being received from a remote location over the internet, it is further inherent that some sort of browser is used to accept this information (URLs are used by Web browsers to locate Internet resources).

15. With regard to claim 12, which teaches the listing items being HTML tags with addresses and the enhancements being samples from the addresses, Matthews teaches, in column 16, lines 35-51, the listings comprising addresses which are used to retrieve, over the internet, the preview information.

Conclusion

16. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach systems for providing preview information along with a listing of items.


17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

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18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8-17-04
dgb


RAYMOND J. BAYERL
PRIMARY EXAMINER
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